



South Florida Water Management District

Governing Board Special Meeting MEETING MINUTES

June 30, 2008

10:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members Present:

Eric Buermann

Shannon Estenoz

Michael Collins

Melissa Meeker

Charles Dauray

Patrick Rooney

Members Absent:

Paul C. Huck Jr.

Robert Jerry Montgomery

1. Call meeting to Order - Eric Buermann, Chairman

Chair Buermann called the meeting to order at 10:00 am.

2. Pledge of Allegiance - Eric Buermann, Chairman

Vice-Chair Estenoz led the group in the Pledge of Allegiance.

3. Addendum to Agenda - Annette Carter, Director, Office of Governing Board and Executive Services

Annette Carter, Director, Office of Governing Board and Executive Services, read into the record the agenda addendum. Copies were made available to the public.

14. Abstentions by Board Members from Items on the Agenda

Melissa Meeker announced her abstention from Agenda Item 13B.

4. Preliminary FY09 Budget Review - Doug Bergstrom, Director, Budget Division

Mr. Bergstrom reported on the strategy for the FY09 budget development, ad valorem revenues, budget reductions to meet Amendment 1, State revenues, and matching funds for Certificate of Participations (COPs) proceeds.

Mr. Bergstrom also reported on the rolled back rates and maximum millage rates.

Ms. Meeker commented on tax reform issues, ad valorem revenues and federal funding.

Ms. Estenoz also commented on joint funding with the federal government.

6. Broward Water Resources Task Force - Marjorie Craig, Director, Water Supply Department

2008-642 A Resolution of the South Florida Water Management District; recognizing the need for a collaborative, multi-jurisdictional approach to address county-wide water resource needs; endorsing the establishment of the Broward Water Resources Task Force composed of elected county and city commissioners, and officials representing the South Florida Water Management District Governing Board, Special Districts and Water Control Districts; providing for staff support; and providing an effective date.

Marjorie Craig, Director, Water Supply Department, provided information on this agenda item and explained the resolution is a follow-up item from the Joint Broward County meeting held on May 12, 2008.

Motion made by Shannon Estenoz, seconded by Michael Collins, to approve the following item (6). Vote called. Voting yes: Melissa Meeker, Charles Dauray, Michael Collins, Eric Buermann, Shannon Estenoz, Patrick Rooney. Motion passed.

Motion made by Melissa Meeker, seconded by Patrick Rooney, to appoint Shannon Estenoz as the SFWMD representative to the Water Resources Task Force, and Paul Huck as her alternate. Vote called. Voting yes: Melissa Meeker, Charles Dauray, Michael Collins, Eric Buermann, Shannon Estenoz, Patrick Rooney. Motion passed.

Public Comment: Rev. Reginald G. Smith, Broward Soil & Water Conservation District, supports this resolution.

9. Public Comment

There was no public comment.

10. Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks.

S. Nall, Deputy General Counsel, Office of Counsel

Action Items (if any) Stemming from Closed Sessions

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2007) to discuss strategy related to litigation expenditures in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks.

S. Nall, Deputy General Counsel, Office of Counsel

Chair Buermann adjourned to closed-door session. He announced the meeting would reconvene in approximately 60 minutes.

Chair Buermann reconvened the meeting at 12:55 pm.

Sarah Nall, Deputy General Counsel, reported that there is no action to be taken on Agenda Item 10.

13. "River of Grass" Project Update - Carol Wehle, Executive Director

Chair Buermann provided preliminary comment on the potential U.S. Sugar Corp. (USSC) purchase and the impact on the local entities.

Ruth Clements, Director, Land Acquisition and Management Department, presented information on the non-binding framework for negotiations to purchase the U.S. Sugar Corp.

Tommy Strowd, Assistant Deputy Executive Director, presented information on the "River of Grass" project and goal objectives:

- Increase the availability of water storage.
- Increase the ability to deliver cleaner water to the Everglades.
- Eliminate the need for backpumping to Lake Okeechobee.
- Support the sustainability of agriculture and green energy production.

Mr. Strowd also reported on the proposed land acquisitions.

Doug Bergstrom, Director, Budget Department, presented information on the financial framework for the proposed transaction and the historical annual funding for Everglades restoration.

Paul Dumars, Chief Financial Officer, provided information on the timeline for financing.

Mr. Collins commented on the timeframe for the legal documents and amendments to the debt ratios.

Mr. Dumars provided additional information on the timeframe.

Mr. Dauray commented on long-term financing for this project.

Mr. Collins requested a feasibility analysis of funding for the project.

Mr. Dauray commented on water quality and quantity issues and equitable use of water.

Vice Chair Estenoz provided comment on the FY09 budget, economic impacts and the Northern Everglades Program.

Ms. Wehle provided additional information on the Northern Everglades Program.

Ms. Estenoz also commented on multi-year storage and modeling with evapotranspiration factors.

Mr. Collins asked about future tax initiatives.

Ms. Wehle reported on revenue for Everglades restoration and ad valorem resources.

Vice Chair Estenoz commented on seepage, flow way south, and federal funding.

Mr. Rooney asked about the appraisal process.

Ms. Clements provided additional information on the appraisal process.

Public Comment: Sara Fain, Everglades Coalition/NPCA thanked the Board and the State for this historic opportunity for Everglades restoration.

Public Comment: Lisa Interlandi, Everglades Law Center, thanked the Board, staff and the State for this great opportunity and said this is the greatest action the SFWMD Board has ever taken. She looks forward to participating in the public process.

Public Comment: Linda Johnson, Commissioner, City of South Bay, commented on the proposed purchase and Everglades Restoration. Her concerns are the constituents of South Bay. She would like to participate in the public process.

Ms. Clements reported the City of South Bay will not be impacted with any of the restoration projects.

Public Comment: Stuart Krantz, citizen, commented on the District's mission and value statement.

Public Comment: John Marshall, Arthur R. Marshall Foundation, commended the Governor's initiative. He also commented on the long-term economic impacts to the local community.

Public Comment: Drew Martin, Sierra Club, endorses this purchase. He commented on long-term economic impacts and restoring the Everglades.

Public Comment: Kevin McCarthy, Hendry County Commissioner, commented on the economic impacts to Hendry County and local areas.

Ms. Wehle reported on loss revenue to the local areas and opportunities for long-term employment.

Public Comment: Martha Musgrove, Decision Makers Forum, supports the purchase of USSC for Everglades restoration and commented on the design of a flow way.

Public Comment: Wayne O'Neil, Hendry County Administrator, commented on the economic impact and unemployment rate in Hendry County.

Public Comment: Edward Oppel, Vice Chair, Port of Palm Beach, congratulated the Board on this land purchase. Mr. Oppel reported on an inland port and distribution center will be located in the western communities.

Public Comment: Mark Perry, Everglades Coalition/Florida Oceanographic commented on the restoring the sheet flow and discharging to tide.

Public Comment: Claudio Riedi, Miccosukee Tribe, commented on the process and the cost-benefit analysis of this land purchase.

Public Comment: Art Kennedy, Congressman Alcee Hastings, Chief of Staff, commented on economic development for constituents in the Glades Community.

Public Comment: J.P. Sasser, Former Mayor, City of Pahokee, commented on economic development in the Glades area and lack of land.

Public Comment: Matthew Schwartz, Sierra Club, Broward Group, supports this land purchase and commented on the Water Conservation Areas.

Public Comment: Dawn Shirreffs, Clean Water Action, commented on restoring water in the Everglades and said they are grateful for the efforts by the Governor and the District.

Public Comment: Jonathan Ullman, Sierra Club, read into the record a statement from the Sierra Club supporting this land purchase.

Public Comment: Jacquie Weisblum, Audubon of Florida, commended the State for this land purchase and also commented on the concerns for the Glades community.

Public Comment: Rosa Durando, Audubon Society, Lake Worth, stated concern with potential issues especially rock mining in Palm Beach County.

Public Comment: Thom Rumberger, Everglades Trust Fund, commented on the planning process for the land purchase.

Mr. Collins requested to move the acquisitions concurrently, provide assurance to the Glades communities and to pay down debt.

Ms. Estenoz also agrees with paying down the debt.

A) A Resolution of the Governing Board of the South Florida Water Management District approving and ratifying the Statement of Principles with respect to the proposed acquisition of approximately 187,000 acres of land in Palm Beach, Hendry, Glades, and Gilchrist Counties executed by the Vice Chair of the Governing Board of the South Florida Water Management District and the United States Sugar Corporation, Dated June 24, 2008; directing staff to proceed with negotiations on a Sale And Purchase Agreement; and providing an effective date.

Motion made by Shannon Estenoz, seconded by Melissa Meeker, to approve the following item (13A). Vote called. Voting yes: Melissa Meeker, Charles Dauray, Michael Collins, Eric Buermann, Shannon Estenoz, Patrick Rooney. Motion passed.

B) A Resolution of the Governing Board of the South Florida Water Management District directing staff to commence due diligence and move forward with appraisals and environmental assessments with respect to the proposed acquisition of approximately 187,000 acres of land in Palm Beach, Hendry, Glades, and Gilchrist Counties; approving a budget transfer of dedicated funds (CERP ad valorem) for an estimated \$5,000,000 from the CERP Program to Everglades Restoration Land Acquisition (an additional \$2,000,000 anticipated in FY 2009); and providing an effective date.

Motion made by Shannon Estenoz, seconded by Charles Dauray, to approve the following item (13B). Vote called. Voting yes: Charles Dauray, Michael Collins, Eric Buermann, Shannon Estenoz, Patrick Rooney. Abstained: Melissa Meeker. Not present: Melissa Meeker. Motion passed.

12. Adjourn

Chair Buermann adjourned the meeting at 1:00 pm.

Eric Buermann
Governing Board Chairman
South Florida Water Management District Governing Board

Recorded By:

Cathy Widness
Administrative Assistant Senior
Governing Board and Executive Services
SFWMD